

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

COLTON THOMAS JENS,

Defendant.

CR 20–123–BLG–DLC-02

ORDER

United States Magistrate Judge Timothy J. Cavan entered his Findings and Recommendation on July 20, 2021. (Doc. 54.) As neither party objected, they are not entitled to *de novo* review of the record. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). Therefore, the Court reviews the Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Judge Cavan recommends that the Court accept Defendant Colton Thomas Jens’ guilty plea. Jens appeared before Judge Cavan pursuant to Federal Rule of Criminal Procedure 11 and entered a plea of guilty to the Indictment, which charges the crime of distribution of methamphetamine, in violation of 21 U.S.C.

§ 841(a)(1). (*Sealed* Doc. 1.)

Finding no clear error, IT IS ORDERED that the Court ADOPTS the Findings and Recommendation (Doc. 54) IN FULL.

IT IS FURTHER ORDERED that Colton Thomas Jens' motion to change plea (Doc. 40) is GRANTED, and Colton Thomas Jens is adjudged guilty as charged in the Indictment.

DATED this 4th day of August, 2021.



Dana L. Christensen, District Judge
United States District Court